

Notice of Allowability

Application No.

10/805,852

Examiner

Chun-Kuan (Mike) Lee

Applicant(s)

SANDMAN ET AL.

Art Unit

2181

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 02/09/2007.
2. ☒ The allowed claim(s) is/are 1-2, 4-6, 8-9 and 11-13 have been renumbered as claims 1-10.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

RESPONSE TO ARGUMENTS

1. Applicant's arguments, see pages 8-9, filed 02/09/2007, with respect to claims 1 and 8 have been fully considered and are persuasive. The rejection of claims 1-2, 4-6, 8-9 and 11-13 has been withdrawn. Currently, claims 3, 7 and 10 are canceled and claims 1-2, 4-6, 8-9 and 11-13 are pending for examination.

I. INFORMATION CONCERNING OATH/DECLARATION

Oath/Declaration

2. The applicant's oath/declaration has been reviewed by the examiner and is found to conform to the requirements prescribed in **37 C.F.R. 1.63**.

II. INFORMATION CONCERNING DRAWINGS

Drawings

3. The applicant's drawings submitted are acceptable for examination purposes.

III. EXAMINER'S AMENDMENTS

OPTIONS AVAILABLE TO THE APPLICANT

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided

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by **37 CFR § 1.312**. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

AUTHORIZATION FOR THE CORRECTIONS BY THE EXAMINER

5. Authorization for this examiner's amendment was given in a telephone interview with Mr. Stephen C. Beuerle, having Reg. No. 38,380, on April 10, 2007. Accordingly, since a complete record of the interview has been incorporated in the instant examiner's amendment, no separate interview summary form is included in the instant office letter **MPEP § 713.04**.

CORRECTIONS MADE IN THE APPLICATION

6. The application has been amended as following:

IN THE CLAIMS:

The below described amendments to the claims are necessary to further clarify the claimed invention.

NOTE: The claims amended by this examiner's amendment have been referred to by their original claim number and, if renumbered at time of allowance, also by the new number located in parentheses as required by **MPEP § 1302.04(g)**.

In claim 1, line 8, "MMC commands" should be replace with -MMCs-.

In claim 8 (6), line 8, "MMC commands" should be replace with -MMCs-.

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Also original claims 1-2, 4-6, 8-9 and 11-13 have been renumbered as following:

<u>Original claim numbering</u>	<u>New claim numbering</u>
1-2	1-2
4-6	3-5
8-9	6-7
11-13	8-10

IV. DISTINGUISHING FEATURES RECITED IN THE CLAIMS

ALLOWABLE SUBJECT MATTER

7. Claims 1-2, 4-6, 8-9 and 11-13 have been renumbered as claims 1-10 are allowed.

8. The following is an **Examiner's Statement of Reasons for Allowance** See **MPEP 1302.14:**

The primary reasons for allowance of claim 1 in the instant application is the combination with the inclusion in claim that there are " **storing data on the removable magnetic media system in compliance with the optical drive file system.**" The prior art of record including the disclosures of Salmonsens (US Pub.: 2003/0225568) and Blood et al. (US Patent 6,874,060) neither anticipates nor renders obvious the above recited combination. Because claims 2 and 4-6 (3-5) depend directly or indirectly on claim 1, these claims are considered allowable for at least the same reasons noted above.

The primary reasons for allowance of claim 8 (6) in the instant application is the combination with the inclusion in claim that there are "**the removable magnetic media system stores data in compliance with the optical drive file system.**" The prior art of record including the disclosures of Salmonsén (US Pub.: 2003/0225568) and Blood et al. (US Patent 6,874,060) neither anticipates nor renders obvious the above recited combination. Because claims 9 (7) and 11-13 (8-10) depend directly or indirectly on claim 1, these claims are considered allowable for at least the same reasons noted above.

9. Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

V. CLOSING COMMENTS

Conclusion

DIRECTION OF FUTURE CORRESPONDENCES

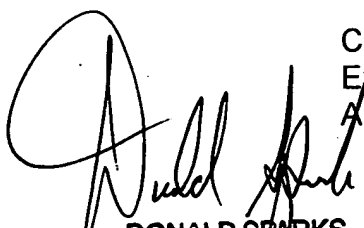
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun-Kuan (Mike) Lee whose telephone number is (571) 272-0671. The examiner can normally be reached on 8AM to 5PM.

IMPORTANT NOTE

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks can be reached on (571) 272-4201. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

April 11, 2007


DONALD SPARKS
SUPERVISORY PATENT EXAMINER

Chun-Kuan (Mike) Lee
Examiner
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